

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JONATHAN NATHANIEL MURRAY,

Plaintiff,

-against-

**23-CV-6610 (JPO) (VF)**

**ORDER**

BRAG SALES, INC., d/b/a/ Uneeda  
Enterprises, et al.,

Defendants.

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**VALERIE FIGUEREDO, United States Magistrate Judge.**

At ECF No. 49, Plaintiff filed a motion asking for a “jury trial, [to] find Defendant guilty.” Defendants filed an opposition to Plaintiff’s motion, arguing that Plaintiff has failed to comply with the case management plan and engage in discovery, and thus the case is not ready for trial. ECF No. 50 at 2-3. This is Plaintiff’s second motion asking for a jury trial. See ECF No. 45. In response to Plaintiff’s prior motion, the Court explained that discovery was ongoing and the case was not yet ready for trial. See ECF No. 47.

On June 9, 2025, the Court held a conference with the parties, and on June 10, 2025, the Court directed Plaintiff to respond to Defendants’ discovery requests and set a deadline for the close of fact discovery of September 30, 2025. See ECF No. 53. In other words, the case is still not yet ready for trial, because the parties are engaged in discovery.

Additionally, to the extent Plaintiff is also asks that Defendants be found “guilty,” Plaintiff is reminded that this is a civil (not a criminal) case and, in any event, it is up to the jury (not the court) to determine whether Plaintiff has proven his claims. See Shin v. Queens Hosp. Ctr. in Jamaica, No. 14-CV-7237 (SLT) (LB), 2014 WL 7422664, at \*7 (E.D.N.Y. Dec. 31, 2014) (explaining that the court could not grant relief where plaintiff requested that defendants be

punished because it was “a civil, not a criminal, case” and noting that “the Court lacks the power to initiate a prosecution”).

The Clerk of Court is respectfully directed to terminate the motion at ECF No. 49.

**SO ORDERED.**

DATED: New York, New York  
July 2, 2025

  
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VALERIE FIGUEREDO  
United States Magistrate Judge